

[NAFTA-01049]

The Goodyear Tire and Rubber Company Air Springs Manufacturing Division, Green, Ohio; Notice of Revised Determination On Reopening

On July 19, 1996, the Department issued a Negative Determination Regarding Eligibility to Apply for NAFTA-Transitional Adjustment Assistance (NAFTA-TAA) applicable to all workers of The Goodyear Tire & Rubber Company, Air Springs Manufacturing Division located in Green, Ohio. The notice was published in the Federal Register on August 6, 1996 (FR 61 40853).

On its own motion, the Department reviewed the findings of the investigation. The workers produced air sleeves and air springs. The Department's original determination covered only those workers engaged in the production of air springs. New findings on reopening show that the Department failed to investigate workers who were engaged in the production of air sleeves. Findings show that the company transfer of production of air sleeves to a plant in Mexico started in 1994 and was completed in August 1995. Workers are separately identifiable by product line (air sleeves and air springs). New findings on reopening show that the workers engaged in the production of air sleeves were impacted by the transfer of production to Mexico.

Conclusion

After careful review of the additional facts obtained on reopening, I conclude that the shift in production of air sleeves to Mexico contributed to the total and partial separations of the workers engaged in the production of air sleeves by Goodyear Tire & Rubber Company, Green, Ohio. In accordance with the provisions of the Act, I make the following certification:

All workers of Goodyear Tire & Rubber Company, Green, Ohio engaged in the production of air sleeves who became totally or partially separated from employment on or after May 25, 1995 are eligible to apply for NAFTA-TAA under Section 250 of the Trade Act of 1974.

I further determine that all workers of Goodyear Tire & Rubber Company, Green, Ohio engaged in the production of air springs are denied eligibility to apply for NAFTA-TAA assistance under Section 250 of the Trade Act of 1974.

Signed at Washington, D.C. this 15th day of August 1996.

Russell T. Kile,

Acting Program Manager, Policy and Reemployment Services, Office of Trade Adjustment Assistance.

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Employment Standards Administration

Wage and Hour Division; Minimum Wages for Federal and Federally Assisted Construction; General Wage Determination Decisions

General wage determination decisions of the Secretary of Labor are issued in accordance with applicable law and are based on the information obtained by the Department of Labor from its study of local wage conditions and data made available from other sources. They specify the basic hourly wage rates and fringe benefits which are determined to be prevailing for the described classes of laborers and mechanics employed on construction projects of a similar character and in the localities specified therein.

The determinations in these decisions of prevailing rates and fringe benefits have been made in accordance with 29 CFR Part 1, by authority of the Secretary of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, 40 U.S.C. 276a) and of other Federal statutes referred to in 29 CFR Part 1, Appendix, as well as such additional statutes as may from time to time be enacted containing provisions for the payment of wages determined to be prevailing by the Secretary of Labor in accordance with the Davis-Bacon Act. The prevailing rates and fringe benefits determined in these decisions shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and federally assisted construction projects to laborers and mechanics of the specified classes engaged on contract work of the character and in the localities described therein.

Good cause is hereby found for not utilizing notice and public comment procedure thereon prior to the issuance of these determinations as prescribed in 5 U.S.C. 553 and not providing for delay in the effective date as prescribed in that section, because the necessity to issue current construction industry wage determinations frequently and in large volume causes procedures to be impractical and contrary to the public interest.

General wage determination decisions, and modifications and supersedeas decisions thereto, contain no expiration dates and are effective from their date of notice in the Federal Register, or on the date written notice is received by the agency, whichever is earlier. These decisions are to be used in accordance with the provisions of 29 CFR Parts 1 and 5. Accordingly, the applicable decision, together with any modifications issued, must be made a part of every contract for performance of the described work within the geographic area indicated as required by an applicable Federal prevailing wage law and 29 CFR Part 5. The wage rates and fringe benefits, notice of which is published herein, and which are contained in the Government Printing Office (GPO) document entitled "General Wage Determinations Issued Under the Davis-Bacon and Related Acts," shall be the minimum paid by contractors and subcontractors to laborers and mechanics.

Any person, organization, or governmental agency having an interest in the rates determined as prevailing is encouraged to submit wage rate and fringe benefit information for consideration by the Department. Further information and self-explanatory forms for the purpose of submitting this data may be obtained by writing to the U.S. Department of Labor, Employment Standards Administration, Wage and Hour Division, Division of Wage Determinations, 200 Constitution Avenue, N.W., Room S-3014, Washington, D.C. 20210.

Modifications to General Wage Determination Decisions

The number of decisions listed in the Government Printing Office document entitled "General Wage Determinations Issued Under the Davis-Bacon and Related Acts" being modified are listed by Volume and State. Dates of publication in the Federal Register are in parentheses following the decisions being modified.

Volume I

Massachusetts

MA960001 (March 15, 1996)
MA960002 (March 15, 1996)
MA960003 (March 15, 1996)
MA960005 (March 15, 1996)
MA960007 (March 15, 1996)
MA960009 (March 15, 1996)
MA960010 (March 15, 1996)
MA960013 (March 15, 1996)
MA960017 (March 15, 1996)
MA960018 (March 15, 1996)
MA960019 (March 15, 1996)
MA960020 (March 15, 1996)
MA960021 (March 15, 1996)

New Jersey

NJ960002 (March 15, 1996)